

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 05/15/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LINDA SLADE, Individually and as the	:	
representative of a class of similarly situated	:	
persons,	:	
	:	
Plaintiff,	:	
-against-	:	23-CV-1152 (VEC)
	:	
OFFLIMITS, INC.,	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on May 8, 2023, Plaintiff was ordered to move for leave to file an Amended Complaint not later than May 12, 2023, or the action would be dismissed for lack of standing, Dkt. 9;

WHEREAS on May 12, 2023, Plaintiff did not respond to the order to show cause but notified the Court that the parties have reached an agreement in principle resolving all issues and asked the Court to retain jurisdiction for 45 days while the parties prepare settlement documents and a notice of voluntary dismissal with prejudice, Dkt. 10; and

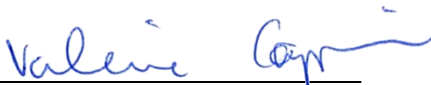
WHEREAS because Plaintiff did not file an Amended Complaint that adequately alleges standing, the Court lacks subject-matter jurisdiction over this case and can only dismiss the action without prejudice, *see Bank v. U.S. Dep't of Health & Human Servs.*, 708 F. App'x 43, 44–45 (2d Cir. 2018) (summary order);

IT IS HEREBY ORDERED that all previously scheduled conferences and other deadlines are CANCELLED.

IT IS FURTHER ORDERED that this case is DISMISSED without prejudice and without costs (including attorneys' fees) to either party. The Clerk of Court is respectfully directed to terminate all open motions and to CLOSE the case.

SO ORDERED.

Date: May 15, 2023
New York, New York



VALERIE CAPRONI
United States District Judge